

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRAVELERS CASUALTY INSURANCE
COMPANY OF AMERICA,

Plaintiff,

-against-

LANDMARK AMERICAN INSURANCE
COMPANY,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/23/2023

1:22-cv-9838 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

This is an insurance coverage case in which Plaintiff Travelers seeks a declaratory judgment that Landmark is obligated to defend and indemnify the defendants in an underlying personal injury action pending in New York Supreme Court, Bronx County. The Court held a status conference with the parties on May 23, 2023.

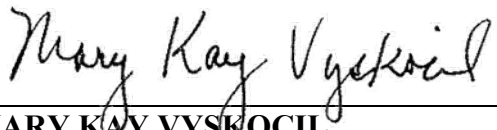
At the conference, Landmark represented that in March of 2023, it had agreed to defend one of the underlying defendants because it was listed as an additional insured under the Landmark policy. Landmark declined to defend the second defendant because it was not scheduled as an additional insured as required to entitle it to coverage. Travelers concurred with Landmark's representation and coverage position. Landmark also represented that it had agreed to permit current counsel, that is defending both defendants, to continue to defend the underlying litigation. The parties continue to discuss allocation of defense costs between the two insureds and requested 30 days to finalize a settlement.

Accordingly, the parties are HEREBY DIRECTED to appear for a status conference on June 27, 2023 at 3:30 PM. If this case has not yet been resolved, the parties are directed to file a joint status letter advising the Court of the status of this case on or before June 21, 2023. In the

event that the case is resolved before that date, the parties are directed to immediately notify the Court.

SO ORDERED.

Date: May 23, 2023
New York, NY



MARY KAY VYSKOCIL
United States District Judge